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South Dakota Department of Education  
**Special Education Advisory Panel Meeting**

April 13, 2005  
11:30 am- 4:30 pm  
Holiday Inn Express  
Ft. Pierre, South Dakota

Chairperson- Ms. Barb Koenders      Vice-chairperson- Ms. Karn Barth

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**MINUTES**

**Members Present**

Amanda Lautenschlager  
Barb Koenders  
Bernie Grimme  
Connie McClintock  
Gail Eichstadt  
Greg Cooch  
Heather Stettinichs  
Jim Dunston  
Judy Hoscheid  
Karn Barth  
Lisa Heckenlaible  
Mark Krogstrand  
Greg Riley

**Members Absent**

Bertina Larcher  
Nicole Haneke  
Michele Cogley  
Todd Christensen

### Staff Members

Julie Carpenter  
Michelle Powers  
Janet Ricketts  
Angela Boddicker  
Merle Doolittle

Minutes Approved (As Read) (As Amended)

Chairperson: \_\_\_\_\_

**Signature**

**Date**

### Call to Order

Barb Koenders, Chairperson, called the meeting to order at 12:30 pm and made opening remarks.

### Welcome/Introduction/Opening Remarks

Michelle Powers made a few announcements and thanked Gail Eichstadt for writing an article for SD Advocacy. She then turned the floor over to the Advisory Panel members and Office of Educational Services and Support staff members to make personal introductions.

### Approval of Agenda

Michelle Powers made additions to the agenda concerning the 1% waiver concerning students with significant cognitive disabilities and, also, the announcement by the US Department of Education concerning an additional 2 % waiver.

Mark Krogstrand moved to accept the agenda for the April 13<sup>th</sup>, 2005 meeting as presented, seconded by Judy Hoscheid.

### Approval of Minutes from the, January 27th, 2005 Advisory Panel Meeting

The meeting minutes from January 27th, 2005 were reviewed with no additions or corrections noted. Karn Barth moved to accept the

minutes as written, motion was seconded by Jim Dunston. Motion carried.

### **Response to Intervention**

Michelle Powers, Director, SEP, shared information from the National Research Center for Learning Disabilities. The main topic in the learning disabilities arena at this point is using Response to Intervention in place of the discrepancy model for identification of students with learning disabilities.

Michelle clarified that individual school district's must decide whether or not to use the discrepancy model. Michelle stated that districts cannot abandon the discrepancy model without having an appropriate, state approved model to use. It is expected that, after July 1<sup>st</sup>, 2005, SD will continue to have all districts using the discrepancy model. However, this will change as more information is gained concerning the Response to Intervention Model.

Michelle explained that the basic philosophy behind Response to Intervention is that, with good instructional practices, the majority of students should perform very well educationally. The students, who do not respond to these programs, are those students who are identified as students with learning disabilities.

### **APR**

Michelle handed out the SD Annual Performance Report. This report is SEP's accountability to the Federal office. This is the second year that this report has been issued. The APR contains data concerning interventions for students with disabilities throughout the state. This data is used to decide state priorities for the year and to identify state accomplishments. This information is part of the child count that SEP provides each year.

The APR will be morphing into a new version since the Reauthorized Act. It will become an Annual Performance Plan. In August there will

be a conference in Washington, DC focusing on the new Performance Plan and what it entails. The Performance Plan will contain state goals that SEP expects to accomplish over the next six years. On December 3, 2005 this plan will be presented to the Federal office.

### **Native American Population**

SEP is trying to get a least one standardized tool normed on the Native American population in SD.

### **Complaints**

Michelle went over the complaints, mediation, and hearing data. SEP had 12 complaints last year and none so far this year. The most common complaint is that the IEP is not being followed.

Complaints are handled by the state agency. The State was prompted to begin working with Mountain Plains Regional Resource Center to help handle complaints.

### **Navigator Program**

Michelle handed out the first quarterly report on the Navigator Program. The grant has been finalized and was awarded to the Parent Connection. The Navigator Program is a collaborative project with the State and The Parent Connection.

The Navigator Program will develop a statewide system of peer navigators at seven education agencies throughout the state. There will be one coordinator. Navigators will be selected and then trained to mediate and facilitate IEPs. They must have good communication skills. People from the community will be selected to be navigators. They will provide a mediation resource for the parents and the school.

They have advertised for the coordinator position and plan to hire someone by this fall. A data base will be developed for this program.

### **IDEA Reauthorization**

IDEA trainings have been held across the state. These trainings were well attended. Information on reauthorized IDEA was presented. Issues concerning Highly Qualified Teachers were discussed.

### **Administrative Rules**

Michelle will send out a memo in May concerning changes and additions to the SD Administrative Rules. Michelle will present a packet of rule changes to the SD Board of Education next month. Panel members are invited to attend the SD Board of Education meeting in Sioux Falls at South East Technical School on May 16 & 17, 2005.

### **Federal Draft Regulations**

Regulations clear in fourteen days. There are 75 days available to comment on these regulations. One of the rolls of the Advisory Panel is to comment on rule changes.

### **1% Rule / 2% Rule**

The Federal office allows states to use 1% of the students in the state, taking the Alternate Assessment Test, to be reported as proficient for the purposes of calculating adequate yearly progress. Alternate assessments given that exceed this 1% at the district level will be considered not proficient unless a request for exemption from the 1% Percent Rule is applied for by the district.

Margaret Spelling, Head of the Department of Education, announced an increase to 2% for students working on modified grade level standards.

### **Highly Qualified Teachers**

Michelle Powers introduced guests Janet Ricketts, Director, Office of Educational Services and Support, Pami Hagen, Office of Accreditation and Teacher Quality, and Angela Boddicker, SEP. Michelle discussed the requirements for Highly Qualified Teachers. Michelle and Angela will be providing technical advice to school districts on Highly Qualified

Teachers. This does not affect paraprofessionals. Handouts explained the definition of the law and the changes.

#### Highly Qualified Teacher Requirements:

1. Teacher of core content areas
2. Direct instruction
3. Specific endorsements
4. Be properly certified

SD's service delivery model has to change. Districts must take measurable steps to recruit and hire Highly Qualified staff.

The Highly Qualified Report is to be done by July 1, 2005. Districts need to document their recruitment of Highly Qualified Teachers. Special Education Teachers will provide more consultative services. By 2006, all teachers have to be Highly Qualified. One way to become Highly Qualified is to take the Praxis Test.

#### **Eligibility Guide**

Julie Carpenter, SEP, explained that a group is being formed to rewrite the Eligibility Guide for Special Education. This group will consist of 30-40 people and will meet for the first time this summer. Response to Intervention and the Discrepancy Model will be two areas addressed by this group.

#### **Upcoming Meeting**

July 21, 2005 was recommended as the next meeting date. This meeting will be held at 11:30 am in Pierre.

#### **Proposed Agenda Items:**

Eligibility Guide Update

Proposed Regulations and Administrative Rules Update

## **Adjournment**

Bernie Grimme motioned to adjourn the meeting, Gail Eichstadt seconded. Motion carried.

